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4. Arquest designs and develops its products at its headquarters in Cranbury, New Jersey, and in East Camden, Arkansas. Arquest's products are manufactured in Arkansas.

5. Arquest's documents relating to its business activities are located in its New Jersey and Arkansas facilities.

6. Arquest chose to file this suit in the Southern District of New York in order to minimize its costs and maximize its convenience. Arquest has a strong interest in limiting the costs of this litigation, especially in view of KCWW's relative size and financial strength. Since Arquest's counsel is located in the Southern District of New York, filing here, rather than in the District of New Jersey where Arquest is headquartered, allows Arquest to avoid retaining local counsel while at the same time providing for a convenient forum for its potential witnesses, at least two of whom are based in Cranbury, New Jersey, less than 50 miles from the courthouse.

7. Arquest has no ties with the Northern District of Texas. Arquest has no facilities, operations, or employees in the Northern District of Texas, and its sole contact with that district is that its products may ultimately be sold to consumers there.

8. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed in Cranbury, New Jersey, on this 19th day of February, 2008.



Matthew J. Rinaldi